

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

)
IAN J. BROWN, JAMES BROWN, and)
BARBARA BROWN,)
)
Plaintiffs,)
)
v.)
)
UNITED STATES OF AMERICA,)
VERIZON NEW ENGLAND, INC., and)
BOSTON EDISON COMPANY d/b/a/)
NSTAR ELECTRIC,)
)
Defendants .)
)

Civ. No. 04-11924-RGS

**ASSENTED-TO DEFENDANTS' JOINT MOTION FOR EXTENSION OF TIME
TO FILE DISPOSITIVE MOTIONS**

The Defendants request that this Court extend their deadline for the filing of dispositive motions from March 14, 2007 until April 30, 2007. Plaintiff kindly assents to this motion.

The parties have been diligent in moving discovery forward. However, due to the difficulty of scheduling depositions that all four parties and deponents are able to attend, there are two remaining expert depositions to be conducted, an expert for Defendants Verizon and Nstar on March 19, 2007, and an expert for the United States on March 23, 2007. The transcripts of these depositions will, judging from past experience, take more than two weeks to be delivered to the parties. At least two of the Defendants are considering the filing of motions for summary judgment based, in whole or in part, on the issue of proximate cause, an issue to which each of the two expert deponents will speak. After receiving the transcripts, several weeks are needed to prepare the motions.

The movants are unaware of any prejudice that Plaintiff would suffer by the requested

extension and believe that the additional information obtained from the two remaining expert depositions would be of value to the Court, as well as of value to all parties, in evaluating whether trial of the case is necessary.

Accordingly, the Defendants request that this Court permit their dispositive motions to be filed on or before April 30, 2007.

Respectfully submitted,

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CERTIFICATE OF SERVICE AND RULE 7.1 CONFERENCE

I hereby certify that the foregoing has been served upon Scott Charnas, counsel for Plaintiff, by the electronic filing system on this fifth day of March and that I conferred with Mr. Charnas on March 2, 2007, and he kindly assented to this motion.

/s/ Anita Johnson _____